UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALLEGRA NETWORK, LLC,

        Plaintiff,

                                        Case No. 12-CV-11152

v.

                                        HON. GEORGE CARAM STEEH

RICHARD IIAMES, LISA IIAMES,
and ECHO ARTZ LLC,

        Defendants.

_____/

ORDER GRANTING PLAINTIFF'S MOTION TO REOPEN CASE AND FOR AN ORDER TO SHOW CAUSE (#18)

On May 24, 2012, plaintiff filed a motion for default judgment against defendants Richard Iiames, Lisa Iiames, and Echo Artz LLC. On May 25, 2012, the court issued an order setting a response deadline of June 18, 2012, and setting a hearing on the motion for June 20, 2012 at 10:30 a.m. Defendants failed to respond to the motion or appear at the hearing. On June 26, 2012, the court issued an order granting the motion for default judgment. The June 26th order requires defendants Richard and Lisa Iiames to pay plaintiff $200,000 ($190,000 in damages and $10,000 in attorneys fees and costs). The order also requires that defendants Richard and Lisa Iiames and their agents, servants, and employees, and those people in active concert or participation with them, fully perform their post-termination obligations. The order directs defendant Echo Artz and its agents, servants, employees, and those people in active concert or participation with them to cease and desist from any and all interference with the rights of Allegra, on the one hand, and the obligations of the Iiames defendants, on the other. The order

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requires that defendants file with the court and serve upon plaintiff's counsel, within ten days after service of the order, a written report under oath setting forth in detail the manner in which they have complied with the injunctive order.

On July 24, 2012, plaintiff filed a motion to reopen the case and for an order to show cause. Plaintiff represents that it personally served the Iiames defendants on June 30, 2012 with the June 26th order/judgment. Plaintiff further represents that it sent the June 26th order/judgment by certified mail to Charles Yex, owner of Echo Artz LLC, on June 27, 2012. The Postal Service attempted to deliver the order and thereafter left notice for Yex to pick up the order at a designated USPS location. Yex failed to do so. The deadline for filing the court-ordered compliance report has passed. Plaintiff therefore seeks an order requiring all defendants to show cause for their noncompliance with the court's June 26th order. The deadline for filing a response to the July 24th motion has passed and defendants have failed to file a response. Accordingly,

IT IS HEREBY ORDERED that this case is reopened to the extent necessary to issue this order and hold a show cause hearing;

IT IS HEREBY ORDERED that Richard Iiames and Lisa Iiames show cause in person at a hearing on <u>November 5, 2012 at 11:00 a.m.</u> why they are not subject to contempt sanctions up to and including incarceration for failure to comply with the court's June 26th order.

IT IS HEREBY ORDERED that Echo Artz show cause at a hearing on <u>November 5, 2012 at 11:00 a.m.</u> why it is not subject to sanctions for failure to comply with the court's June 26th order.

This order to show cause shall be served personally on Richard Iiames, Lisa Iiames, and Charles Yex, as owner of Echo Artz, by plaintiff on or before October 10,

2012. Plaintiff shall also include a copy of the complaint, motion for default judgment, order granting motion for default judgment/judgment, motion to reopen case and for an order to show cause, and this order. If a defendant files the compliance report required by the June 26th order with the court prior to the hearing date, the order to show cause will be dismissed as to that defendant. If all defendants file the required compliance reports, the hearing will be cancelled.

IT IS SO ORDERED.

Dated: September 7, 2012

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s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on September 7, 2012, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk